

ENROLLED ORIGINAL

A RESOLUTION

17-402

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 23, 2007

To confirm the reappointment of Mr. Tersh Boasberg to the Historic Preservation Review Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Historic Preservation Review Board Tersh Boasberg Confirmation Resolution of 2007".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Tersh Boasberg
3136 Newark Street, N.W.
Washington, D.C. 20008
(Ward 3)

as a public member and chairperson of the Historic Preservation Review Board, established by Mayor's Order 83-119, issued May 6, 1983 (30 DCR 3031), in accordance with section 4 of the Historic Landmark and Historic District Protection Act of 1978, effective March 3, 1979 (D.C. Law 2-144; D.C. Official Code § 6-1103), for a term to end July 21, 2010.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17-403

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 23, 2007

To confirm the reappointment of Mr. Charles R. Lowery, Jr. to the District of Columbia Board of Elections and Ethics.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Board of Elections and Ethics Charles R. Lowery, Jr. Confirmation Resolution of 2007".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Charles R. Lowery, Jr.
1317 Somerset Place, N.W.
Washington, D.C. 20011-1134
(Ward 4)

as a member of the District of Columbia Board of Elections and Ethics, established by section 3 of the District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 699; D.C. Official Code § 1-1001.03), for a term to end July 7, 2010.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17-404

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 23, 2007

To confirm the reappointment of Mr. Peter B. Feather to the Alcoholic Beverage Control Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Alcoholic Beverage Control Board Peter B. Feather Confirmation Resolution of 2007".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Peter B. Feather
2020 12th Street, N.W., #203
Washington, D.C. 20009
(Ward 1)

as a member, and the chairperson, of the Alcoholic Beverage Control Board, established by D.C. Official Code § 25-201, for a term to end May 7, 2011.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17-405

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 23, 2007

To confirm the appointment of Mr. Clarence H. Carter as the Director of the Department of Human Services.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Department of Human Services Clarence H. Carter Confirmation Resolution of 2007".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Clarence H. Carter
2980 Queensland Drive
Richmond, VA 23294

as the Director of the Department of Human Services, established by Reorganization Plan No. 3 of 1986, effective January 3, 1987, in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17-406

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 23, 2007

To declare the existence of an emergency with respect to the need to approve the Agreement of Limited Partnership of Greater Southeast Investments, L.P., between Specialty Hospital of Washington-GSE Holdings, LLC, and the District of Columbia to assure the continued operations of the Greater Southeast Community Hospital.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Specialty Hospital of Washington-GSE Holdings, LLC Public/Private Agreement of Limited Partnership Emergency Declaration Resolution of 2007".

Sec. 2. (a) The Mayor proposes to enter into a multiyear agreement with Specialty Hospital of Washington-GSE Holdings, LLC, ("SHW") to provide funding and technical assistance to the new owners of the Greater Southeast Community Hospital ("GSE Hospital") to assure the continued operation of existing programs at GSE Hospital and to enable SHW to deliver quality health care to the District's residents.

(b) The estimated total expenditure under the proposed multiyear contract with SHW is \$79 million.

(c) The proposed contract is necessary to preserve the health, safety, and welfare of the residents of the District by enabling SHW, or certain of its subsidiary entities, to acquire, and improve and operate, GSE Hospital on an expedited basis to forestall the closure of GSE Hospital and the loss of medical services to the District's residents.

(d) There is a need for enhanced quality measurements and cultural competence to ensure the delivery of high-quality medical care for the high percentage of African-American patients that will be served by GSE Hospital.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Specialty Hospital of Washington-GSE Holdings, LLC Public/Private Agreement of Limited Partnership Emergency Approval Resolution of 2007 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17-407

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 23, 2007

To approve, on an emergency basis, the Agreement of Limited Partnership of Greater Southeast Investments, L.P., between Specialty Hospital of Washington-GSE Holdings, LLC, and the District of Columbia to assure the continued operation of the Greater Southeast Community Hospital.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Specialty Hospital of Washington-GSE Holdings, LLC Public/Private Agreement of Limited Partnership Emergency Approval Resolution of 2007".

Sec. 2. Pursuant to section 451(c) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(c)), the Council approves the Agreement of Limited Partnership of Greater Southeast Investments, L.P., between Specialty Hospital of Washington-GSE Holdings, LLC, ("SHW") and the District of Columbia, a multiyear contract for an estimated amount of \$79 million with SHW, to provide funding and technical assistance to the new owners of the Greater Southeast Community Hospital ("GSE Hospital") to assure the continued operation of existing programs at GSE Hospital and enable SHW to deliver quality health care to the District's residents.

Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. This resolution shall take effect immediately.

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A RESOLUTION

17-408

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 23, 2007

To declare the existence of an emergency with respect to the need to amend the District of Columbia Recordation Tax Act to exempt from the deed recordation tax the transfer of lots 3 and 4, Square 5919 to Specialty Hospitals of America, LLC; to amend Title 47 of the District of Columbia Official Code to exempt from taxation the land and improvements located in lots 3 and 4, Square 5919, and from the deed transfer tax, the transfer of lots 3 and 4, Square 5919 to Specialty Hospitals of America, LLC; to direct the Chief Financial Officer to credit all loan payments received from Greater Southeast Investment, L.P., relating to loans to Specialty Hospitals of America, LLC, and the District's share of proceeds arising from a disposition of lots 3 and 4, Square 5919, to the Community Health Care Financing Fund; to require an agreement that addresses cultural competency; and to repeal section 4 of the East of the River Hospital Revitalization Emergency Amendment Act of 2007.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "East of the River Hospital Revitalization Tax Exemption Emergency Declaration Resolution of 2007".

Sec. 2. (a) The Mayor proposes to enter into a multiyear agreement with Specialty Hospital of Washington-GSE Holdings, LLC, ("SHW") to provide funding and technical assistance to the new owners of the Greater Southeast Community Hospital ("GSE Hospital") to assure the continued operation of existing programs at GSE Hospital and enable SHW to deliver quality health care to the District's residents.

(b) Assistance includes the exemption from deed recordation and transfer taxes and from taxation of the land and improvements located in lots 3 and 4, Square 5919.

(c) Emergency legislation, and the repeal of section 4 of the East of the River Hospital Revitalization Emergency Act of 2007, is necessary to clarify these exemptions, and to provide that an agreement that addresses cultural competency be required.

(d) The tax exemptions are necessary to preserve the health, safety, and welfare of the residents of the District by enabling SHW, or certain of its subsidiary entities, to acquire, and

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improve and operate, GSE Hospital on an expedited basis to forestall the closure of GSE Hospital and the loss of medical services to the District's residents.

(e) There is a need for enhanced quality measurements and cultural competence to ensure the delivery of high-quality medical care for the high percentage of African-American patients that will be served by OSE Hospital.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the East of the River Hospital Revitalization Tax Exemption Emergency Amendment Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17-409

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 23, 2007

To declare the existence of an emergency with respect to the need to amend Chapter 10 of Title 47 of the District of Columbia Official Code to exempt from taxation certain property owned by Golden Rule Plaza, Inc., and to provide equitable real property tax relief to Golden Rule Plaza, Inc.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Golden Rule Plaza, Inc., Real Property Tax Exemption and Real Property Tax Relief Emergency Declaration Resolution of 2007".

Sec. 2. (a) There exists an immediate need to enact legislation to exempt from real property taxes property that was deeded to Golden Rule Plaza, Inc., by the District of Columbia in 2005 with significant restrictive covenants that permitted the property to be used only for the development of an intergenerational center, in accordance with development plans approved by the District, unless the Council were to approve an alternative development and property.

(b) The tax bills were due September 17, 2007, and immediate action is needed by the Council to exempt these properties from taxes.

(c) Golden Rule Plaza, Inc., filed for tax exemption in 2005 for lots 837 and 842, Square 525 and Lot 840, Square 526. Those exemption applications have still not been ruled upon and Golden Rule Plaza, Inc., is not in a position to pay the real property taxes on these lots. Lot 841, Square 525 is used as an accessory parking lot to Bible Way Church and should be exempt from real estate taxes.

(d) The District of Columbia received no tax revenue from these properties prior to conveyance of the property to Golden Rule Plaza, Inc., as they were previously part of excess Federal Highway Plan property, relating to the construction of the Center Leg Freeway.

(e) Golden Rule Plaza, Inc., and its affiliates, have successfully developed Golden Rule Plaza as a 119-unit senior citizen housing project with property previously acquired from the District as Phase I of the project.

(f) Golden Rule Plaza, Inc., is in the process of planning for and developing Phase II of the project, including the intergenerational center. Exemption from real estate taxes is necessary

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for continued development of the project.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Golden Rule Plaza, Inc., Real Property Tax Exemption and Real Property Tax Relief Emergency Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17-410

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 23, 2007

To declare the existence of an emergency with respect to the need to amend the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996 to require the Water and Sewer Authority, in collaboration with the Fire and Emergency Medical Services Department, to develop a plan for inspecting, repairing, and maintaining public fire hydrants, and the provision of adequate water pressure levels to all locations in the District.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fire Hydrant Inspection, Repair, Maintenance, and Fire Preparedness Emergency Declaration Resolution of 2007".

Sec. 2. (a) There exists an immediate need to require the Water and Sewer Authority ("WASA") to work in collaboration with the Fire and Emergency Medical Services Department ("FEMS") to develop a plan for inspecting, repairing, and maintaining public fire hydrants. The District was made tragically aware of this need following efforts to extinguish a fire last spring, which were hampered by broken hydrants, at a District of Columbia public library in Georgetown.

(b) There also exists an immediate need to require WASA to work in collaboration with FEMS to develop a plan for the provision of adequate water pressure levels to all locations in the District. In early October, due to inadequate water pressure, a 2-alarm fire unnecessarily escalated into a 4-alarm fire, resulting in severe damage to a residential building in Adams Morgan.

(c) In the October 4, 2007 Public Oversight Roundtable on the "Status of the Public Water Main System in District Neighborhoods", the Committee on Public Works and the Environment heard testimony from WASA and FEMS that demonstrated insufficient coordination between the 2 agencies.

(d) The enactment of this emergency legislation is critical to the safety of the residents of the District. It requires that WASA work in collaboration with FEMS to immediately develop a plan to remedy the problems of broken or poorly maintained fire hydrants, and inadequate water pressure in many locations of the city.

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Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Fire Hydrant Inspection, Repair, Maintenance, and Fire Preparedness Emergency Amendment Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17-411

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 23, 2007

To declare the existence of an emergency with respect to the need to amend the Neighborhood Investment Act of 2004 to include the entire commercial area along lower Georgia Avenue, N.W., and lower Sherman Avenue, N.W., in the Columbia Heights Neighborhood Investment Program target area.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Neighborhood Investment Clarification Emergency Declaration Resolution of 2007".

Sec. 2. (a) The Neighborhood Investment Act of 2004 became effective March 30, 2004.

(b) On April 4, 2006, the Council passed Res. 16-596, the Neighborhood Investment Act Spending Plan for Fiscal Year 2006 Resolution of 2006 ("Resolution"), to approve the Mayor's spending plan to implement the Neighborhood Investment Act of 2004 for fiscal year 2006. Included in the Resolution were spending plans for projects for all target areas.

(c) Lower Georgia and Sherman avenues, south to Euclid Street, N.W., are ready to benefit from this designation and investment as part of the revitalization of these 2 avenues. However, these streets were inadvertently omitted from the original designation.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Neighborhood Investment Clarification Emergency Amendment Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-412

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 23, 2007

To declare the existence of an emergency with respect to the need to authorize the Board of Real Property Assessment and Appeals to hear appeals from a notice of final determination on vacancy and to exempt appeals from a notice of final determination on vacancy from the purview of the Office of Administrative Hearings, to consolidate the overlapping responsibilities for the designation, registration, and assessment of vacant properties, to provide for the augmentation of exemptions from the registration of vacant buildings, to provide for the establishment of regulations governing vacant property, to provide penalties for the filing of false or misleading vacant property registration information by an owner, to provide for the petition for reconsideration of a vacancy determination, to provide for the periodic noticing of the Office of Tax and Revenue of properties designated as vacant and the assessment of taxes on properties designated as vacant, to provide for the appeal of a notice of final determination to the Board of Real Property Assessment and Appeals, to restate the classes of property subject to taxation, to vest fully with the Department of Consumer and Regulatory Affairs the determination of the vacant status of buildings for Class 3 real property tax purposes, and to create a specific appeals process for Class 3 Properties.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Nuisance Properties Abatement Reform and Real Property Classification Emergency Declaration Resolution of 2007".

Sec. 2. (a) Certain legislative amendments are necessary to collect the \$8 million in the vacant property revenue initiative included in the fiscal year 2007 budget, which include:

- (1) Providing for the abatement of nuisances in the District of Columbia by limiting and clarifying the exceptions from the vacant and Class 3 designations; and
- (2) Transferring fully from the Office of Tax and Revenue to the Department of Consumer and Regulatory Affairs the authority to designate improved properties as vacant and, therefore, subject to Class 3 taxation.

(b) If legislation is not enacted to allow for improved monitoring and enforcement of vacant properties, as anticipated by the Fiscal Year 2007 Budget Support Act of 2006, the

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District will not collect anticipated revenues and there will be a budget shortfall.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Nuisance Properties Abatement Reform and Real Property Classification Emergency Amendment Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.